IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 17269 of 2007(E)

PETITIONER:

K.JAYASREE, D/O.A.KASUMANI, BODHI
VILAYODI P.O., CHITTOOR, PALAKKAD.

BY ADV. SRI.K.RAMAKUMAR

RESPONDENTS:

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1. COCHIN DEVASWOM BOARD, THRISSUR, REP.
BY ITS SECRETARY.

2. THE MANAGER, PATASSALA SANMSKRUTHA
HIGH SCHOOL (PSHS), CHITTOOR, PALAKKAD.

3. THE DISTRICT EDUCATIONAL OFFICER.

4. THE DEPUTY DIRECTOR OF EDUCATION,
PALAKKAD.

5. SMT.ANITHA THANKAM, W/O.K.BINESH KUMAR,
7/492, KALIKA, RAGHAVAPURAM, PANAYOOR P.O.,
PALAKKAD 678 552.

BY GOVT. PLEADER SRI. A.J. VARGHESE
ADV. SRI.K.GOPALAKRISHNA KURUP,SC,COCHIN D.B

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.17269/07

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1	COPY OF THE JUDGMENT DT. 17.1.07 IN W.P.C. 1911/07 PASSED BY THIS HONOURABLE COURT.
EXT.P2	COPY OF THE ORDER DT. 28.3.07 OF THE DISTRICT EDUCATIONAL OFFICER.
EXT.P3	COPY OF THE APPEAL PREFERRED BY THE PETITIONER BEFORE THE 4TH RESPONDENT.

/TRUE COPY/

PA TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NO. 17269 OF 2007

Dated this the 6th day of July, 2007

J U D G M E N T

Having heard learned counsel for the parties and having perused the materials placed on record, particularly Ext.P2 order, I am satisfied that interest of justice demands that petitioner should be given an opportunity to be heard in the matter by respondent No.3.

2. It is revealed from Ext.P2 that petitioner was not heard when the said order was passed. It is fairly admitted by learned Government Pleader that petitioner was not heard as could be seen from Ext.P2 order itself.

In the above facts and circumstances, I am satisfied that Ext.P2 order is liable to be quashed. I do so. It is made clear that it will be open to respondent No.3 to pass fresh orders in the matter after affording sufficient opportunity of hearing to the petitioner, respondent No.3 and all others who are likely to be affected by the orders that may be passed. This shall be done, as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment. In that view of the matter Ext.P3 appeal, which is stated to have been preferred by the petitioner against Ext.P2 order is of no consequence.

The writ petition is disposed of in the above terms.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007